

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRITTANY RENEE GIBSON,
Petitioner,
v.
STATE OF CALIFORNIA,
Respondent.

No. 2:22-cv-0844-KJM-KJN P

ORDER

Petitioner, a state prisoner proceeding pro se, filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 21, 2023, the magistrate judge filed findings and recommendations, which were served on petitioner and contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner did not file objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

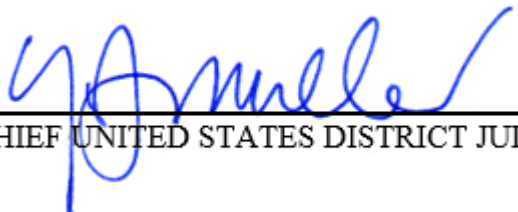
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1 . . .”). Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed April 21, 2023 are adopted in full;
5 2. Petitioner’s motion to stay (ECF No. 13) is granted, and this action is administratively
6 stayed while petitioner exhausts her unexhausted claims; and
7 3. Within thirty days of this order, petitioner shall file a status report addressing the status
8 of the exhaustion of her unexhausted claims.

9 DATED: July 21, 2023.

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12 CHIEF UNITED STATES DISTRICT JUDGE
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